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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,535	03/24/2004	Francis J. Kelley	02009US	6145

61611 7590 12/17/2007
ROHM AND HAAS ELECTRONIC MATERIALS
CMP HOLDINGS, INC.
451 BELLEVUE ROAD
NEWARK, DE 19713

EXAMINER

CHEN, KIN CHAN

ART UNIT	PAPER NUMBER
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1792

MAIL DATE	DELIVERY MODE
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12/17/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/809,535

Applicant(s)

KELLEY ET AL.

Examiner

Kin-Chan Chen

Art Unit

1792

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. In view of new found prior art, PROSECUTION IS HEREBY REOPENED. As such, the previous allowable subject matters (notice of allowability) are withdrawn. A new ground of rejection (non-final rejection) is set forth below.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3 are rejected under 35 U.S.C. 102(e) as being anticipated by Goldberg et al. (US 2005/0136671) or Thomas et al. (US 2005/0104048).

Goldberg (abstract; [0022] [0023]; [0014]-[0016]) or Thomas (abstract; [0024] [0025]; [0016]-[0018]) discloses that an aqueous composition useful for polishing top layer on a semiconductor wafer may comprise by weight percent up to 25 oxidizer, 0.05 to 1 inhibitor for a nonferrous metal, 0.01 to 5 complexing agent for the nonferrous metal, 0.01 to 5 modified cellulose, and balance water at a pH of 2 to 5, wherein said

composition is abrasive free and free of polyacrylic acids. As to dependent claims 2 and 3, see Goldberg ([0020]) or Thomas ([0022]).

Claim Rejections - 35 USC § 103

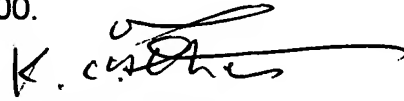
4. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Goldberg et al. (US 2005/0136671) or Thomas et al. (US 2005/0104048).

Goldberg (abstract; [0022] [0023]; [0014]-[0016]) or Thomas (abstract; [0024] [0025]; [0016]-[0018]) discloses that an aqueous composition useful for polishing top layer on a semiconductor wafer may comprise by weight percent up to 25 oxidizer, 0.05 to 1 inhibitor for a nonferrous metal, 0.01 to 5 complexing agent for the nonferrous metal. 0.01 to 5 modified cellulose, and balance water at a pH of 2 to 5, wherein said composition is abrasive free and free of polyacrylic acids. Goldberg ([0020]) or Thomas ([0022]) discloses using carboxy methyl cellulose.

Dependant claim 4 differs from the prior art by specifying various degree of substitution and molecular weight of carboxy methyl cellulose. Because same are merely a matter of choices of design depending on the product requirements, in absence of any unexpected result which is different in kind and not merely in degree from the result of the prior art, it would be obvious to one skilled in the art to use various a degree of substitution and molecular weight of carboxy methyl cellulose in order to accommodate the specific product and meet the product requirement.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kin-Chan Chen whose telephone number is (571) 272-1461. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nadine Norton can be reached on (571) 272-1465. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

December 14, 2007


Kin-Chan Chen
Primary Examiner
Art Unit 1792